

MEMORANDUM

Agenda Item No. 3(A)(15)


TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution declaring one 2001
Ford Expedition surplus;
authorizing its donation to
Genesis Hopeful Haven, Inc.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



R. A. Cuevas, Jr.
County Attorney

RAC/smm




MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

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R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 3(A)(15)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(A)(15)
9-1-15

RESOLUTION NO. _____

RESOLUTION DECLARING ONE 2001 FORD EXPEDITION SURPLUS; AUTHORIZING ITS DONATION TO GENESIS HOPEFUL HAVEN, INC; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

WHEREAS, the vehicle described below is owned by Miami-Dade County; and

WHEREAS, the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serves no useful purpose; and

WHEREAS, Genesis Hopeful Haven, Inc., (the "Donee") desires to use the vehicle only within Miami-Dade County to enhance its ability to provide services to its constituents; and

WHEREAS, the Donee is a private non-profit agency as defined in Section 273.01(3) of the Florida Statutes, and is exempt from federal income taxation by virtue of Section 501 of the Internal Revenue Code; and

WHEREAS, the Donee is an eligible community based organization, as defined in Section 2-11.2.1 of the Code of Miami-Dade County; and

WHEREAS, Miami-Dade County's Internal Services Department has complied with the requirements of Section 2-11.2.1, by offering the vehicle to other Miami-Dade County departments and agencies, none of which accepted the vehicle; and

WHEREAS, the vehicle is eligible for donation under Section 274.05 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board declares the following vehicle, with the listed residual value and other characteristics, to be surplus pursuant to Section 274.05 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County:

<u>Item</u>	<u>I.D. No.</u>	<u>Condition</u>	<u>Mileage</u>	<u>Est. Value</u>
2001 Ford Expedition XLT	1FMRU15L51LB19260	Fair	175,798	\$1,195.00

Section 2. This Board authorizes donation of the vehicle to the Donee, and authorizes the County Mayor or County Mayor's designee to execute the Community Based Organization Agreement, in substantially the form attached hereto and incorporated herein by this reference, and to exercise any and all other rights conferred therein. The Donee shall take possession of the vehicle within 60 days of the effective date of this resolution and shall promptly cause title to said vehicle to be transferred to Donee. Donee shall be responsible for any and all costs of transferring the vehicle. The County Mayor or County Mayor's designee shall and is hereby authorized to take any and all actions necessary to effectuate the intent of this resolution.

Section 3. If, for any reason, the donee fails to take possession of the vehicle within 60 days of the effective date of this resolution and or fails to transfer title, then this resolution shall be null and void, and the ownership rights to the vehicles shall remain with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Sabrina Levin

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and Genesis Hopeful Haven (hereafter "Donee") as follows:

For and in consideration of the County donating a Ford Expedition XLT 2WD, VIN#1FMRU15L51LB19260 to Donee, and Donee agreeing to the use and as described herein: SUV as is,

Donee certifies that it is a not-for-profit agency, group, organization, society, association, corporation, partnership or individual that provides a community service designed to improve or enhance the well-being of the community of Miami-Dade County at large or to improve or enhance the well-being of certain individuals within this community that have special needs.

Donee agrees that it shall predominantly utilize the donated surplus property for the intended use specified in section no. 5 of the "Surplus Property Allocation Application", attached hereto. (Attachment A) Moreover, this Community Based Organization (CBO) shall not resell or otherwise dispose of or transfer such property without prior County approval for a period of not less than three (3) years from the date of receipt of the surplus property. This three (3) year requirement may be waived administratively by the Mayor or designee upon showing that it is in the best interest of Miami Dade County. Upon the disposal of such property, Donee agrees to notify Miami Dade County. Upon the failure of the Donee to use the property as set forth in the "Surplus Property Allocation Application", or upon the Donee's attempt to dispose of or transfer the property prior to the expiration of the three (3) year period set forth herein, title to the surplus property shall immediately revert to the County and Donee shall immediately return possession of the property to the County.

The Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et.al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the transfer of ownership, maintenance or use of the donated property or by subsequent acts by the Donee, its agents, employees, et.al., and/or the performance of this Agreement by the Donee or its employees, agents, servants, partners, principals. The Donee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.

Community Based Organization Donation Agreement

"According to section 2-1076 of the Code of Miami-Dade County, Florida, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits, inspections, and reviews of all County contracts. This audit is separate and apart from any other audit by the County."

Genesis Hopeful Haven, Inc
Name of CBO

By: [Signature]

Date: 8/6/15

Fritzie Smotory
Printed Name

Executive Director
Title

Miami-Dade County:

By: _____

Date: _____

**MIAMI-DADE COUNTY
SURPLUS PROPERTY ALLOCATION APPLICATION**

**COUNTY SURPLUS PROPERTY ALLOCATIONS REQUESTED THROUGH THIS PROCESS ARE NOT EFFECTIVE UNTIL APPROVED BY
ACTION OF THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO THE MIAMI-DADE COUNTY HOME RULE CHARTER**

Please complete and sign the following form and submit it along with requested documents to your sponsoring Commissioner. Once accepted, the sponsoring Commissioner will submit the documents to:

Internal Services Department Fixed Assets Manager
2226 N. W. 72 Ave
Miami, FL 33122

Phone: (305) 592-3752
Fax: (305) 592-3616

1. Full legal name of the requesting organization: Genesis Hopeful Haven, Inc

2. Applicant Status: (Select one of the choices below)

- ☒ Not-For-Profit or Tax Exempt ☐ Local Government or Public Entity
☐ For-Profit
☐ Other (specify): _____

**If Not-For-Profit or Tax Exempt, please attach a copy of letter from Internal Revenue Service designating status under 501c code.

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.):
Fritzie Saintery, 2147 NW 15th Place Homestead FL 33039 305-432-7131 or 786-571-8804

4. Specify the surplus property requested (quantity, if applicable): VIN#1FMRU15L51LB19260

5. Specify the purpose for which the surplus property will be used: Transport Foster Children in group home to school, doctors appointment, family visits, sports events, educational field trips, mentoring program and activities throughout the community

I hereby certify that all the statements made in this application are true and correct.


Signature of Authorized Representative

8/6/13
Date

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **DEC 22 2014**

GENESIS HOPEFUL HAVEN INC
C/O FRITZIE BURKETT
1756 N BAYSHORE DR 15C
MIAMI, FL 33132

Employer Identification Number:
47-1225857
DLN:
17053265323044
Contact Person:
SHAWN R LAWSON ID# 31661
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
July 31
Public Charity Status:
170 (b) (1) (A) (vii)
Form 990 Required:
Yes
Effective Date of Exemption:
July 15, 2014
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c) (3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c) (3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c) (3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Tamara Ruggieri

Director, Exempt Organizations

Letter 947



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

Organizations Eligible to Receive Tax-Deductible Charitable Contributions (Pub. 78 data) - Search Results

The following list includes tax-exempt organizations that are eligible to receive tax-deductible charitable contributions. Click on the "Deductibility Status" column for an explanation of limitations on the deductibility of contributions made to different types of tax-exempt organizations.

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

1 of 1 results

Results Per Page:
[Prev](#) | 1-1 | [Next](#)

EIN: Legal Name (Doing Business As):

City:

State: Country:

Deductibility Status:

[Prev](#) | 1-1 | [Next](#)



Gift Givers' Guide

KNOW HOW YOUR MONEY IS BEING SPENT

The Gift Givers' Guide is a resource that provides the financial information reported to us from charitable organizations. The information in the Gift Givers' Guide is provided as a public service. The charities listed are currently registered with the Department; inactive or expired registrations will not display. To search an organization, type in the organization's complete or partial name in the text box below and click the "Search" button.

Business Name:

License/Registration Number: [Advanced Search](#)

Search Results

☒ Expand All (show solicitors, branches, fundraisers and statement of purpose) or
select them individually

Sort By: Display per page:

		1
<input checked="" type="checkbox"/> Genesis Hopeful Haven, Inc., Miami, FL.		
Registration Number : CH42088	Expiration Date : 10/13/2015	
Revenue Source : Budget *** Limited Financial Information *** (12/31/2014)		
Total Revenue : \$0.00	Program Services Expenses : \$0.00 0%	
Total Expenses : \$0.00	Administrative Expenses : \$0.00 0%	
Surplus/Deficit : \$0.00	Fundraising Expenses : \$0.00 0%	
		1